

# **EXHIBIT F**

## **Declaration of John W. Barrett**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

**VISHVA DESAI and PHILIP J. CHARVAT, on  
behalf of themselves and others similarly situated,**

**Plaintiffs,**

**v.**

**Case No. 1:11-cv-1925**

**ADT SECURITY SERVICES, INC.,**

**Defendant.**

**Declaration of John W. Barrett in Support of Plaintiffs' Motion  
for Preliminary Approval of Class Action Settlement**

1. I am submitting this declaration in support of Plaintiffs' Unopposed Motion for Preliminary Approval of Class Action Settlement. The purpose of the declaration is to establish my qualifications as proposed class counsel.

3. I received a B.A. from the University of Pennsylvania in 1988, and my law degree from Boston University School of Law, *cum laude*, in 1996. From 1996 through 1998 I clerked for Charles H. Haden II, Chief Judge of the United States District Court for the Southern District of West Virginia. I have practiced in Charleston, West Virginia my entire career. I practiced with a two-lawyer firm for three years, then as a sole practitioner for three years. I joined Bailey & Glasser LLP as a partner in 2005.

4. I concentrate my practice in consumer class actions and consumer finance matters. I have tried cases in state and federal courts in West Virginia. I have argued consumer and other cases before the Supreme Court of Appeals of West Virginia and the United States Court of Appeals for the Fourth Circuit.

5. I am AV rated by Martindale-Hubbell. I am a member of Public Justice; the West Virginia and American Associations for Justice; the John A. Field, Jr. Chapter of the American Inn of Courts; and the American Bar Association's Section of Litigation, Class Actions and Derivative Suits Committee. I am also a member of the National Association of Consumer Advocates, which among other things maintains comprehensive standards and guidelines for litigating and settling consumer class actions in an effort to promote the ethical and proper use of the class action device. *See* 176 F.R.D. 375 (published in 1998, fully updated in 2006).

5. I have litigated TCPA class actions for approximately six years. Among my cases, both co-counseled with Matthew P. McCue and Edward A. Broderick:

- *Mey v. Herbalife International, Inc.*, Civil Action No. 01-C-263 (Circuit Court of Ohio County, West Virginia) (\$7 million nationwide class action settlement alleging violations of the TCPA); and
- *Shonk v. SG Sales Co.*, Case No. 07-C-1800 (Circuit Court of Kanawha County, West Virginia) (\$2.45 million nationwide settlement of TCPA class action).

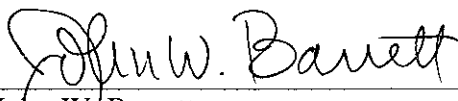
6. I have served as class counsel in many other matters, including:

- *Cummins v. H & R Block, Inc.*, Civil Action No. 03-C-134 (Circuit Court of Kanawha County, West Virginia) (consumer class action resulting in \$62.5 million multistate settlement, including \$32.5 million for West Virginia consumers);
- *Anderson v. Provident Bank*, Civil Action No. 04-C-199 (Circuit Court of Mercer County, West Virginia) (predatory mortgage lending class action settled for \$8.1 million on behalf of 140 class members);
- *Hardwick v. Rent-A-Center, Inc.*, Civil Action No. 3:06-0901 (S.D. W. Va.) (class action settlement worth more than \$5 million; alleging violations of state Consumer Goods Rental Protection Act);
- *Casto v. City National Bank*, Civil Action No. 10-C-1089 (Cir. Ct. of Kanawha County, West Virginia) (settlement of overdraft fee class action brought under West Virginia consumer protection statute; settlement valued at \$5.5 million);

- *Triplett v. NationStar Mortgage*, Civil Action No. 3:11cv238 (S.D. W. Va.) (\$1.5 million loan servicing class action settlement for West Virginia class under state consumer protection statute).
- *Muhammad v. National City Mortgage Co.*, Civil Action No. 207-0423 (S.D. W. Va.) (\$700,000 mortgage loan servicing settlement alleging violations of the West Virginia Consumer Credit and Protection Act);
- *Dijkstra v. Carenbauer*, Civil Action No. 5:11-CV-152 (N.D. W. Va.) (\$690,000 settlement of loan servicing class action against Wilshire Credit; court-appointed class counsel for litigation class of West Virginia plaintiffs against LendingTree);
- *Brailsford v. Jackson Hewitt, Inc.*, Case No. 06-00700 (N.D. Cal.) (\$672,000 settlement on behalf of class of California class);
- *Hackworth v. Telespectrum, Inc.*, Civil Action No. 3:04-1271 (S.D. W. Va.) (WARN Act class action settled for \$185,000); and

7. I also served as co-counsel for the State in *State of West Va. ex rel. Darrell V. McGraw v. Microsoft Corporation*, Civil Action No. 01-C-197 (Circuit Court of Boone County, West Virginia) (*parens patriae* antitrust and consumer protection action; settlement valued at more than \$20 million). I currently serve as a special assistant attorney general in two actions brought in the Circuit Court of Boone County, West Virginia against chain pharmacy stores alleging violations of West Virginia's consumer and pharmacy drug-pricing statutes. *State of West Va. v. Rite Aid of West Va.*, Civil Action No. 09-C-27; and *State of West Va. v. CVS Pharmacy, Inc.*, Civil Action No. 09-C-226. I argued the State's successful appeal in *State of West Va. v. CVS Pharmacy, Inc.*, 646 F.3d 169 (4th Cir. 2011) (affirming remand of action removed under Class Action Fairness Act).

Executed this 11th day of February, 2013.

  
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John W. Barrett